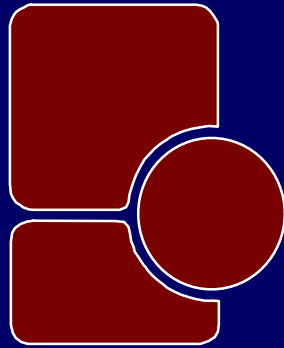


**Joint Legislative Audit and Review Commission
of the Virginia General Assembly**



Commission Selection of Study Topics

**JLARC Staff Briefing
July 10, 2000**

Commission Members Have Been Active in Study Selection Process

2

- Often, requests for JLARC to conduct studies have either formally or informally involved the participation of JLARC members. Legislators often consult with the Chairman or other members prior to formally submitting study requests. The Chairman might subsequently direct staff to assist in drafting a study resolution or request.
- Review of the annual JLARC Workplan also reflects Commission priorities and assignment of staff work. In addition, the Commission will sometimes direct staff to prepare a scheduling resolution under the Evaluation Act.

Selection of Study Topics

3

- **Study topics are selected in various ways:**
 - Joint Resolution of the General Assembly
 - Appropriation Act language
 - Direct request of the Commission
 - Special request of General Assembly member to the Commission or Chairman (primarily special investigations)
 - Evaluation Act Resolutions.
- **Staff do not initiate or conduct studies without authorization of the Commission, or -- in rare cases -- the Chairman and Vice-Chairman.**

Joint Resolutions

4

- **Joint Resolutions are one of the most commonly-used vehicles for directing a JLARC study. Recent studies directed by Joint Resolutions include:**
 - **Review of the Virginia Housing Development Authority (HJR 731 of the 1999 Session)**
 - **Review of the Child Support Enforcement Program (HJR 553 of 1999 Session)**
 - **Technical study of the costs of raising children (SJR 192 of the 2000 Session)**
 - **Review of RMA Toll Facility Operations (HJR 64 of 2000)**
 - **Small Business Development Centers (SJR 233 of 2000)**
 - **Review of the State Board of Elections (HJR 51 of 1998).**

Appropriation Act Language

5

- At times the Appropriation Act is used as a vehicle for directing studies, particularly when issues are raised during the budget process that need review. Current studies mandated by the 2000 Act include:
 - Assessment of the Integrated Human Resources Information System (IHRIS)
 - Review of the Medicaid Reimbursement system for inpatient hospital care
 - Review of the Virginia Distribution Center
 - Review of the State aid formula for public libraries
 - Follow-up review of welfare reform.

Direct Request of the Commission

6

- When JLARC was first created, most studies were directed by the Commission under its basic statute. In recent years, direction has come from the General Assembly as a whole.
- Recent studies directed by the Commission include:
 - The directive to study the funding of elementary and secondary education in May 2000
 - A preliminary inquiry of legal services in Northern Virginia (1999)
 - Review of the VDOT Interstate Maintenance Contract.

Special Request of Member(s) of the General Assembly

7

- **Studies will sometimes originate with a special request by a member of the General Assembly. If requests come to staff, the director will take such a request to the Chairman before initiating any study activities. Such studies have included:**
 - **Review of On-Line Automated Services Information System (OASIS) at DSS (December - February 2000)**
 - **DEQ and VDH Activities to Identify Water Toxic Problems and Inform the Public (July 1999)**
 - **Security Staffing in the Capitol Area (November 1989)**
 - **The Lonesome Pine Regional Library System (1989)**

Use of Evaluation Act to Direct Studies

8

- Since its passage in 1978, dozens of studies have been performed under the provisions of the Legislative Program Review and Evaluation Act.
- Studies conducted under the Evaluation Act have sometimes had other study mandates, but were coordinated under the Evaluation Act as parts of study series.
- Application of the Evaluation Act has tended to focus on multi-part studies of complex areas, such as transportation, education, and administration of justice.

Evaluation Act Background

- In 1978, the General Assembly enacted the Legislative Program Review and Evaluation Act, also known as the Evaluation Act.
- The Evaluation Act (§ 30-64 to 30-72 of the *Code of Virginia*) was developed in response to a 1977 study of sunset legislation. The General Assembly concluded that though agencies should not be regularly scheduled for termination, they should be subject to periodic legislative review and evaluation. The Evaluation Act established a flexible mechanism for such legislative reviews.

Evaluation Act Is Focused on Periodic Reviews of Functional Areas

10

- The Evaluation Act provides for the periodic review and evaluation of selected topics from the functional areas of State Government:
 - Individual and Family Services
 - Education
 - Transportation
 - Resource and Economic Development
 - Administration of Justice
 - Enterprises
 - General Government.

Evaluation Act Provisions

11

- The Evaluation Act called for reviewing the “discretionary selection” of specific agencies or topics within functional areas on a seven year cycle.
- In practice, agencies and topics from most areas are under review in any given year. In 1999, for example every functional area was addressed in at least two studies. In addition, some functional areas (e.g. Enterprises) are regularly the focus of internal service fund or other reviews.

How Recent JLARC Studies Relate to the Functional Areas of State Government

State Government Program Areas

JLARC Reports (Session 2000 Documents)

	Individual & Family Services	Education	Transportation	Resource	Administration & Economic Development	Enterprises	General Government
Legislator's Guide to VRS							●
Semi-Annual VRS Investment Report							●
DEQ and VDH Activities to Identify Water Toxic Problems	●			●			
Review of the Health Regulatory Boards	●						
1999 Report to the General Assembly	●	●	●	●	●	●	●
Procurement of State Printing Contracts						●	●
Undergraduate Student Financial Aid		●					
Air Medevac Services in Virginia	●	●	●		●		
Regional Criminal Justice Training Academy Membership					●		
Statewide Human Services Information and Referral Program	●						
Impact of Digital TV on Public Broadcasting in Virginia		●					●
Impact of State-Owned Ports on Local Governments			●	●			●
Use of Grievance Hearing Officers					●		●
Performance and Management of the Department of Health	●						
Virginia's Medicaid Reimbursement to Nursing Facilities	●						
Review of Virginia Housing Development Authority (Interim)	●			●			
Child Support Enforcement (Interim)	●						
Revolutionary War Veteran Gravesites (Interim)				●			●

Evaluation Act Scheduling Resolutions

13

- The last Evaluation Act resolution came in two phases.
 - First, a resolution was enacted directing the sequencing of several functional areas for review.
 - Next, a companion resolution was passed focusing on more specific areas.
- This process occurred in 1995 with SJR No. 262 and SJR No. 263.

1995 Evaluation Act Resolution Designated Multiple Areas for Review

14

- In 1995, the Commission prepared and the General Assembly passed SJR No. 262, which directed that JLARC “shall review and evaluate the functional areas of state government according to the following schedule, the order of which may be reviewed and revised by future Sessions of the General Assembly”:
 - Administration of Justice
 - Resource and Economic Development
 - Transportation.
- Next, the companion resolution, SJR No. 263 in 1995 was passed, focusing on the area of Administration of Justice and identifying specific studies for JLARC review.

Administration of Justice: SJR 263

15

- SJR No. 263 identified topics for study in the area of Administration of Justice. Some have been completed. Others were designated “to be reviewed at such time as sufficient Commission resources become available.”
- Most of the designated study areas have been completed. Many of the studies were supported by additional study mandates (either resolutions or Appropriation Act language).

Completed SJR 263 Administration of Justice Studies

16

- **Regional Criminal Justice Training Academy Boundaries (1999)**
- **Regional Criminal Justice Training Academies (1999)**
- **DOC Non-security Staffing and Inmate Programming (1997)**
- **Department of Corrections Inmate Telephone System (1997)**
- **Operations and Impact of Juvenile Corrections Services (1997)**
- **The Magistrate System in Virginia (1996)**
- **Review of the Virginia State Bar (1995)**
- **Juvenile Delinquents: Court Processing and Outcomes (1995)**
- **Funding Incentives for Reducing Jail Populations (1995)**
- **Jail Oversight and Reporting Activities (1995)**

Studies Referenced in SJR 263 But Not Initiated by JLARC

17

- The “system of courts in Virginia, including the various courts...”
- The Department of Correctional Education
- The Public Defender Commission and the funding of court-appointed counselors
- The Department of Criminal Justice Services

Resources Are Available for SJR 263

18

- Staff anticipate resources will be available for the continuation of SJR 263 mandates, or other such projects as the Commission may direct. Some staff will be available for assignment in the fall of 2000, as current studies are completed.
- To utilize available staff, JLARC may wish to:
 - Direct staff to complete unfinished SJR 263 areas
 - Develop another general scheduling resolution for 2001
 - Designate new areas for review under the Commission's overall enabling statutes.

Preparation of SJR 262 and 263 Were Directed by the Commission

19

- JLARC established a subcommittee in 1994 that discussed and prioritized the direction it felt the Commission's oversight work should take. The subcommittee produced SJR 262 and 263, which were the foundation for much of JLARC's work in subsequent years.
- Subcommittee activities included reviews of areas studied (or not studied) in recent years, budgetary and staffing changes over time, topics of member interest, and general brainstorming on areas appropriate for review under the Evaluation Act.

Designation of Subcommittee?

20

- The Commission may wish to establish a similar subcommittee in 2000, to organize and direct future Evaluation Act studies by a similar resolution. Such a resolution could provide overall legislative endorsement of future Commission initiatives.